

S&H Form: (09/07)

**REPLY/AMENDMENT
FEE TRANSMITTAL**

Attorney Docket No.	1872.1001 (Formerly 1081.1084)
Application Number	09/468,639
Filing Date	December 22, 1999
First Named Inventor	Toyoshi KAWADA et al.
Group Art Unit	2629
AMOUNT ENCLOSED	110.00
Examiner Name	LIANG, REGINA

FEE CALCULATION (fees effective 09/30/07)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	20	- 26 =	0	X \$ 50.00 =	\$ 0.00
INDEPENDENT CLAIMS	4	- 10 =	0	X \$ 210.00 =	0.00
Since an Official Action set an original due date of <u>October 26, 2007</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$460)); (3 months (\$1,050)); (4 months (\$1,640)); (5 months (\$2,230):					110.00
If Notice of Appeal is enclosed, add (\$510.00)					
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$130.00)					
Information Disclosure Statement (Rule 1.17(p)) (\$180.00)					
Total of above Calculations =					\$ 110.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					
TOTAL FEES DUE =					\$ 110.00

- (1) If entry (1) is less than entry (2), entry (3) is "0".
(2) If entry (2) is less than 20, change entry (2) to "20".
(4) If entry (4) is less than entry (5), entry (6) is "0".
(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

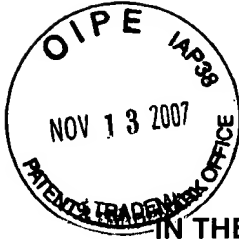
- ☒ Check enclosed as payment.
☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
☐ No payment is enclosed.

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- | | |
|----------------------|--------------------|
| Deposit Account No. | 19-3935 |
| Deposit Account Name | STAAS & HALSEY LLP |
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	Matthew H. Polson	Reg. No.	58,841
Signature		Date	November 13, 2007



Serial No. 09/468,639

Attorney Docket No. 1872.1001 (Formerly 1081.1084)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Toyoshi KAWADA et al.

Application No.: 09/468,639

Group Art Unit: 2629

Confirmation No.: 3873

Filed: December 22, 1999

Examiner: LIANG, REGINA

For: PLASMA DISPLAY PANEL DEVICE

RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed October 11, 2007, applicants elect Claims 44-51 of Species II, with traverse.

The Office Action asserts that there is no generic claim. However, Applicants respectfully submit that claim 44 is at least generic to Species II. Furthermore, a supplemental amendment is filed concurrently herewith, in which dependent claims 52 and 53 are added. Applicants respectfully submit that claim 44 is also generic with respect to claims 52 and 53.

Claims 44-46 read on at least one of FIGS. 4B and 5B of species II.

Further, dependent claims 47-51 and new dependent claims 52-53 are directed to embodiments not included in the species election requirement. Accordingly, Applicants respectfully submit that claims 47-53 should remain pending for prosecution because it would not be a serious burden for the Examiner to examine the claims, as evidenced by the failure of the Election Requirement to require an election therebetween.

Furthermore, Applicants respectfully request rejoinder of any claim which depends from claim 44, upon the allowance of claim 44.

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The Election Requirement asserts: "the species are independent or distinct **because claims to the different species recite mutually exclusive characteristics of such species.**" MPEP §§806.04(e) recites, in part: "Claims are definitions >or descriptions< of inventions. ***Claims >themselves< are never species.*** The scope of a claim may be limited to a single disclosed embodiment (i.e., a single species, and thus be designated a *specific species claim*)*>. Alternatively,< a claim may *>encompass< two or more of the disclosed embodiments** (and thus be designated a *generic or genus claim*)."

Accordingly, Applicants respectfully submit that the Election Requirement fails to meet the burden of proof requirements of MPEP § 808.02, because an Election requirement cannot rely upon the recitation of the claims as reasons for requiring an Election (see MPEP §§806.04(e)). Accordingly, Applicants respectfully request withdrawal of the restriction requirement.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 13, 2007

By: 
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Examiner: LIANG, REGINA

For: PLASMA DISPLAY PANEL DEVICE

SUPPLEMENTAL AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Supplemental Amendment, in response to the Election Requirement mailed October 11, 2007, and having a period for response set to expire on November 11, 2007.

The following amendments and remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.